

RECEIVED
CENTRAL FAX CENTER

AUG 03 2005

Patent Application
Attorney Docket No.
A3152-US-NPCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENTIn re Application of: **Jeffrey H. Banning et al.**Application No.: **10/607,373**Group Art Unit: **1625**Confirmation No.: **5161**Filed: **6/26/2003**

Examiner:

Charanjit AulakhFor: **COLORANT COMPOUNDS**

The owner, Xerox Corporation of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior Patent No. 6,835,238. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

☒ The undersigned is an attorney or agent of record.

08/05/2005 EFLDRES 00000073 240025 10607373

01 FC:1814

130.00 DA

RECEIVED
OIPE/IAP

AUG 04 2005

8/3/2005

Date

☒ Please charge \$130 to Deposit Account No. 24-0025 for the terminal disclaimer fee under 37 CFR 1.20(d). (An additional copy of this paper is enclosed.)

Customer No.: 25453

Signature

Judith L. Byorick

Typed or printed name

32,606

Registration No.

585-423-4564

Telephone No.

XEROX**RECEIVED
CENTRAL FAX CENTER**

AUG 03 2005

Fax Cover Sheet**Urgent Delivery****To**

Charanjit Aulakh
United States Patent & Trademark Office
Customer No. 25453
Confirmation No.: 5161

Phone

571.272.0678

Fax

571.273.8300

Page(s)

2

Date

8/3/2005

Time**From**

Judith L. Byorick
OGC/Patent Department
100 Clinton Avenue South
XR2-20A
Rochester, NY 14644
Phone: 585.423.4564
Fax: 585.423.5240

Re: U.S. Application No.: 10/607,373
Attorney Docket No.: A3152-US-NP

Terminal Disclaimer.

Please Note: This facsimile message may contain information which is privileged, confidential, and exempt from disclosure under applicable laws and is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please notify immediately by telephone the intended recipient, Cathy Whitney (585)423.5764. Xerox will reimburse you for your telephone expense.

5/17/06 (9/2/04)